

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 2ND DAY OF JUNE, 1998

BEFORE

THE HON'BLE MR.JUSTICE V.P.MOHAN KUMAR

WRIT PETITION NUMBER: 39774-775/1995

BETWEEN:

M/S.Belthangady Taluk Agficultural  
Co-operative Marketing SocietyLtd.,  
Belthangady  
District South Canara  
by its Manager.

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PETITIONER

(By Sri.B.H.Patil, Adv.,)

AND:

1. Sri.B.k. Gopalakrishna  
s/o Venkappaiah  
Occ. Service,  
Mareelu House,  
Kemminje Village  
P.O.Darbe  
Puttur - 571 202

2. The Presiding Officer,  
Labourt Court,  
Mangalore,  
South Canara District.

RESPONDENTS

(By Sri.K.Giridhar for R-1)  
Sri.T.P.Nambiar ~~for~~ AGA for R-2)

These petitions are filed praying to quash  
Annexure-A dated 22/9-1995 passed by the Labourt  
Court, Mangalore.

These petitions coming on forpreliminary  
hearing this day, the court made the following :-

ORDER

There is no representation on behalf of the  
petitioner. This matter has been coming up since  
8-2-1996. On many occasions there is no represen-  
tation. I am constrained to dispose of the writ

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petitions in the absence of the petitioner.

2. The petitioner challenges the order passed under Section 33-C(2) of the Industrial Disputes Act, commanding the petitioner to pay the wages to the respondents. There was a dispute between the petitioner and the respondent in reference No.2/1984 wherein an exparte award has been made. It seems an application was made to set aside the said exparte order. That application was dismissed. It is seen that W.P.No.5483/1993 has been filed before this Court challenging the dismissal of the application. It is not disclosed as to whether the petitioner succeeded in the said writ petition.

3. There is an award in favour of the worker calling upon the petitioner to reinstate the worker. This has not been done. The worker has claimed various monetary benefits for failure to reinstate. That application has been allowed. In view of the circumstances that award is made to reinstate the worker and in view of the circumstances that worker has not been reinstated he can certainly claim the monetary benefits that is awarded under Section 33-C(2). I do not find

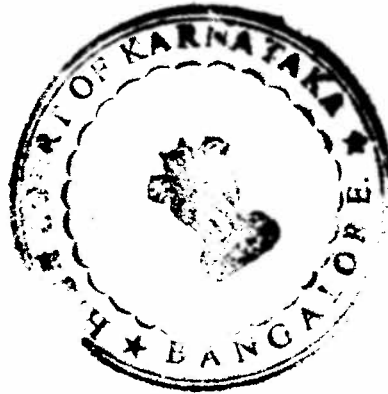
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any ground to entertain the writ petition.

It is accordingly dismissed.

Sd/-  
JUDGE



ru/ksp